

City of Atlantic City
Department of Planning & Development

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Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

June 18, 2021

Sent via regular mail and email to: kdavis@ndglegal.com

Keith A. Davis, Esquire
Nehmad, Davis & Goldstein
4030 Ocean Heights Avenue
Egg Harbor Township, NJ 08234

**RE: Hansen House Application
16 South Tallahassee Avenue
Block 210, Lot 3
Atlantic City, NJ 08401**

Dear Mr. Davis:

Please accept this letter as a response to your April 28, 2021 correspondence relating to the above referenced matter. This office is in receipt of your application package and correspondence indicating the statutory deadlines for administrative completeness and action by the City's Zoning Board of Adjustment.

While this office understands that the application is deemed administratively complete, there are several items that remain outstanding regarding this matter. It is likely that the Zoning Board will request this information from Hansen House at the hearing. Accordingly, this office encourages you to supplement the additional information identified below as soon as possible to ensure a productive hearing date.

- § 163-170 A (8) (b) – The height in stories and feet ... and number and size of dwelling units, by number of bedrooms. *Due to the ceilings of the bedrooms in the upper level being peaked (sloped), pursuant to the Uniform Construction Code ("UCC"), the habitable space in the bedrooms is measured at five feet (5') above the finished floor. The plans submitted measure the habitable space at seven feet (7') above the finished floor for the upper floors. Since the ceilings are sloped, the habitable space of the bedrooms on the upper level of the structure will be different once the correct measurements are provided. Please provide updated measurements of the habitable space for the bedrooms on the upper level measured at five feet (5') above the finished floor so that the Zoning Board can determine the number of individuals that can safely occupy the structure.*
- § 163-170 A (8) (c) – Minimum yard dimensions and where relevant, relation of yard dimensions to the height of any building or structure. *Information has not been provided for the height of the structure and the setback to the overhang on the northern side of the property. It is unclear if additional variance relief is required for existing non-conforming conditions.*
- § 163-170 A (8) (d) – The dimensions of all driveways, and the total lot coverage of all parking and driveway areas. *A Survey has recently been submitted, but this information is not included on the Survey. In light of the number of individuals proposed to reside at the property, information relating to parking is necessary to the Zoning Board's review of the variance application.*
- § 163-170 A (8) (f) – the location, designation, and total area of all usable open space. *This information has not been previously requested or provided. A waiver from this item can be requested.*
- § 163-170 A (8) (g) – Location, use, and size of structures and other land uses located within 200 feet of the boundaries of this site. *This information has not been previously requested or provided. A waiver from this item can be requested.*

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Hansen House – 116 S. Tallahassee Avenue
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- § 163-70 A (14) – Other information and documentation as the Board of Adjustment may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.
 - *This office has repeatedly sought information as to the exact nature of the proposed operation. Based on Hansen House's licensure as a Cooperative Sober Living Residences, please confirm if the specific use of the property will be as a "Class F Rooming House" and that the number of residents living at the property will be capped at 10, exclusive of the owner and/or operator.*

I would again, respectfully request that the necessary items be submitted to this office within the next week so that a proper determination can be made regarding the outstanding issues. Please make arrangements to have these materials transmitted to the City at your earliest convenience. This information will be most helpful to the Board's professionals and members.

Regarding the scheduling this matter for a hearing, the Municipal Land Use Law requires the Zoning Board to be comprised of at least seven (7) individuals. Currently, the Zoning Board only has five (5) active members and the City has been unable to re-constitute the Board because of the State's oversight and requirement that the City receive three (3) resumes for each open Board seat. The State has recently waived this requirement and the City intends to re-constitute the Board so that the hearing in this matter is presided over by seven (7) Zoning Board members. In the interim, Lisa D'Alessandro, the City's Board Secretary, has sent a high priority email to all the current Zoning Board members to determine what dates the members are available for a special hearing for this matter. The dates offered were:

- Tuesday, June 29th
- Tuesday, July 13th
- Tuesday, July 20th

We are waiting for one (1) response from a Board member to determine which day will work. It is anticipated that we will be able to schedule and properly notice the special hearing date by no later than Tuesday, June 20, 2021. As soon as this hearing date is scheduled, you will be promptly notified.

Thank you for your prompt attention to and anticipated cooperation in this matter. Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,
City of Atlantic City

Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

cc: Lisa D'Alessandro (Secretary for the Zoning Board of Adjustment)
Jacques Howard (Assistant Director of Redevelopment of Atlantic City)
Uzoma Ahiake, PE, PLS, PP, CME, CPWM, CFM (Zoning Board Engineer)
Catherine Ward, Esquire (Stradley Ronon Stevens & Young, LLP) – *Special Council to the City of Atlantic City*
R J Norcia, Esquire (Stradley Ronon Stevens & Young, LLP) – *Special Council to the City of Atlantic City*